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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
HARRISBURG, PA

DEC 20 2002

MARY E. D'ANDREA, CLERK
Per 478
Deputy Clerk

JODY K. BUTTS, Individually and as
Parent and Natural Guardian for RASHUN R.
SUNCAR and LEQUINN BUTTS, Minors,
and MARK A. MARTIN, JR., Individually
Plaintiffs

No. 1:00 CV-1893

JURY TRIAL DEMANDED

vs.

CITY OF YORK, OFFICER CURTIS D.
BEHM, OFFICER NICHOLAS W. FIGGE, and
POLICE COMMISSIONER HERBERT
GROCIK,

Defendants

(JUDGE CONNER)

PETITION FOR APPROVAL OF MINOR PLAINTIFFS' COMPROMISED
SETTLEMENT AND DISTRIBUTION OF PROCEEDS

1. Rashun R. Suncar, a minor, is the son of Plaintiff Jody Butts who is his parent and natural guardian and the Petitioner herein and is sixteen years of age having been born on August 23, 1986.

2. Lequinn Butts, a minor, is the son of Plaintiff Jody Butts who is his parent and natural guardian and the Petitioner herein and is thirteen years of age having been born on October 6, 1989.

3. Both minor children were present at their mother, Jody Butts', home at 132 East South St., York, Pa on May 14, 1999 and witnessed the alleged assault of their mother by Defendant York Police Officers at said time and place.

4. Both minor children have brought a claim through Plaintiff Jody Butts for emotional

distress in the instant civil action due to witnessing said alleged assault.

5. After medical and legal analysis, settlement negotiations for said minor children were conducted with Attorney Frank Lavery, Attorney for the remaining Defendants in this action.

6. A settlement was reached, subject to approval of this Honorable Court, to settle the aforementioned claims of said minors for \$100.00 for each child on behalf of Plaintiff Jody Butts, Petitioner herein.

7. It is believed, and therefore averred, that all parties are satisfied that the above-offered settlement is just and reasonable and are willing to accept said offer for approval by this Honorable Court.

8. Defendants deny liability relative to this claim and do not admit liability by making said settlement.

9. Given the fact that the settlement proposal was reached after a detailed evaluation of the pertinent events in this case and the claimed injuries to said minor children, Petitioner and Petitioner's counsel believe that it is in the best interest of Lequinn Butts and Rashun Suncar to accept the settlement proposal of \$100.00 for each minor claimant.

10. Plaintiffs' attorney, Peter B. Foster, Esquire, is making no claim for attorney's fees relative to said settlement.

11. Petitioner avers that said settlement monies are to be placed in an account that provides that no withdrawal will be made therefrom until each child reaches majority, except as authorized by Court Order.

VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct.

12/20/02
Date

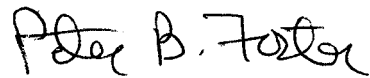
Jody Butts
JODY BUTTS

CERTIFICATE OF SERVICE

I hereby certify that on this date, December 20, 2002, I served a copy of the foregoing Petition on Defendants Figge and Behm by mailing a said copy by U.S. Mail at Harrisburg, PA to the attorney for said Defendants at the following address:

Frank J. Lavery, Jr., Esquire
Lavery, Faherty, Young & Patterson
PO Box 1245
Harrisburg, PA 17108-1245

December 20, 2002



Peter B. Foster
Attorney for Plaintiffs